

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



October 25, 1999

ALL COUNTY LETTER NO. 99-92

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS**REASON FOR THIS TRANSMITTAL**

- ☒ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: CHANGES TO THE CALWORKS CASH AID PROGRAM AS A
RESULT OF THE IMPLEMENTATION OF THE KINSHIP
GUARDIANSHIP ASSISTANCE PAYMENT
(KIN-GAP) PROGRAMREFERENCE: SENATE BILL 1901 (CHAPTER 1055, STATUTES OF 1998)
ASSEMBLY BILL 1111 (CHAPTER 147, STATUTES OF 1999)

The purpose of this letter is to provide counties with implementation instructions pertaining to changes to the CalWORKs Cash Aid Program related to the implementation of the Kin-GAP Program, established by SB 1901 (Chapter 1055, Statutes of 1998) and further amended by AB 1111 (Chapter 147, Statutes of 1999). Welfare and Institutions Code (WIC) Section 11364 requires that the Kin-GAP Program and all related provisions be implemented by January 1, 2000. The statute also permits the California Department of Social Services (CDSS) to implement the provisions through the All County Letter (ACL) process with emergency regulations to follow later. This ACL will only address the changes to the CalWORKs Cash Aid Program resulting from the legislation. A separate ACL will be issued by the Foster Care Branch of the Children and Family Services Division regarding the eligibility requirements, Notices of Action (NOAs), forms, and informing notices for the Kin-GAP Program and its impact on other programs.

Changes to the CalWORKs Cash Aid Program due to the Implementation of Kin-GAP

The Kin-GAP Program is a child-only cash aid program for children with court dependencies who are placed with relatives who assume guardianship and opt to exit the foster care system. Consequently, children who are dependents of the court and currently receiving CalWORKs Cash Aid may be eligible to receive aid under the Kin-GAP Program. Since the Kin-GAP Program establishes a new child-only cash aid program separate from the Aid to Families with Dependent Children-Foster Care (AFDC-FC) and CalWORKs Cash Aid programs, the legislation also requires the following changes applicable to the CalWORKs Cash Aid Program effective January 1, 2000:

- **Kin-GAP recipients shall be excluded by law from receipt of CalWORKs Cash Aid:** Children who receive Kin-GAP aid will not receive duplicate aid under the CalWORKs Cash Aid Program. Kin-GAP recipients will be ineligible for CalWORKs Cash Aid on the basis of their receipt of other aid. They shall be treated in the same manner as the persons excluded by law due to receipt of other aid specified at Eligibility and Assistance Standards (EAS) Manual Section 82-832.15 (Reference: WIC Section 11450 [j]).
- **Child of a Kin-GAP child shall be excluded by law from the CalWORKs Cash Aid Program:** The child living in the home of a minor parent who is a Kin-GAP recipient shall be aided under the Kin-GAP Program and excluded from the CalWORKs Cash Aid Program. These children are treated in the same manner as the child of a minor child receiving AFDC-FC aid specified at EAS Manual Section 82-832.11 (Reference: WIC Section 11465).
- **Needy caretaker relatives of Kin-GAP recipients may be eligible for CalWORKs Cash Aid:** The Kin-GAP child is considered an otherwise eligible dependent child for purposes of establishing CalWORKs Cash Aid eligibility for needy caretaker relatives who are the legal guardians of Kin-GAP children. An Assistance Unit (AU) of one may be established for an otherwise eligible needy caretaker relative of a Kin-GAP recipient child if the caretaker is not included in another AU. The needy caretaker relative shall be treated in the same manner as the caretaker relatives specified at EAS Manual Section 82-820.22 (Reference: WIC Section 11450.16 [B]).
- **Income and aid payments of Kin-GAP recipients are not considered available to CalWORKs applicants and recipients:** Children who receive Kin-GAP aid shall not have their income or Kin-GAP payment considered in their relatives' CalWORKs Cash Aid case. The income of a Kin-GAP recipient is considered income for the Kin-GAP recipient only and not considered available to recipients of CalWORKs Cash Aid. The income shall be treated in the same manner as children who receive AFDC-FC aid specified at EAS Manual Section 44-133.3 (Reference: WIC Section 11371).

NOAs:

New and revised NOA messages pertaining to CalWORKs Cash Aid eligibility are included in Attachment A. The Foster Care Branch of the Children and Family Services Division will provide NOA messages that pertain specifically to the Kin-GAP Program.

For all translated messages, call Language Translation Services (LTS) at (916) 654-1282 or CALNET 464-1282. If you need several messages, fax your request to (916) 657-3429 or e-mail your request to lsu@dss.ca.gov. If your county is on the LTS mailing list, your forms coordinator now receives all translations as soon as they become available. Once you have an established e-mail address, please contact the Forms Management Unit (FMU) by telephone or e-mail at fmud@dss.ca.gov. FMU will then place you on their e-mail list.

Contacts:

If you have questions regarding the changes to the CalWORKs Cash Aid Program regulations, please contact Julie Lopes at (916) 654-1786. For questions regarding NOAs, contact Paulette Stokes at (916) 654-3386. The CALNET prefix for these telephone numbers is 464.

Sincerely,

***Original Signed by
Bruce Wagstaff on 10/25/99***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachment

C: CWDA
CSAC

ATTACHMENT A

NOA MESSAGES

Action	Type	Revision	NOA#
Deny	AU Composition	Added caretaker relative of a Kin-GAP child.	M82-820A
Discontinue	AU Composition	Added Kin-GAP child.	M82-820C
Change	Aid Payments	Added language for an individual receiving benefits from another program. Added applicable reg. cites and issued new NOA number. (Previously M44-203F.)	M82-832E
Discontinue	Aid Payments	New NOA for individual leaving AU. Issued new NOA number.	M82-832F

State of California
Department of Social Services

Noa Msg Doc No.: M82-820A Page 1 of 1
Action : Deny
Issue: AU Composition
Title: No Eligible Person

Auto ID No.:
Source :
Issued by :
Reg Cite : 82-820.2

Use Form No. : NA 290
Original Date : 08-1-91
Revision Date : 01-01-2000

MESSAGE:

The County has denied your application for
cash aid dated _____.

Here's why:

To get aid, there must be at least one of the
following persons living in the home:

An eligible child, or

A caretaker relative of an SSI/SSP child, or

A caretaker relative of a dependent foster
care child, or

A caretaker relative of a Kin-GAP child, or

A pregnant teen under age 20 without a high
school diploma or its equivalent, or

A pregnant woman who is in the last four
months of pregnancy, or

A parent of a child who is sanctioned by the
CalWORKs Welfare-to-Work Program.

INSTRUCTIONS: Use to deny CalWORKs when there is no eligible person in the home. In
the action line, enter the date of application.

This message replaces M82-820A dated 05-01-98.

File:\\Users U\\cmiguelinoU\\mseries\\82820a.doc

State of California
Department of Social Services

Noa Msg Doc No.: M82-820C Page 1 of 1
Action : Discontinue
Issue: AU Composition
Title: Eligible Child Left Home

Auto ID No.:
Source :
Issued by :
Reg Cite : 82-820.2

Use Form No. : NA 290
Original Date : 08-1-91
Revision Date : 01-01-2000

MESSAGE:

As of _____, the County is stopping your cash aid.

Here's why:

You no longer have a child living with you.

To get aid, you must have a child living with you who is:

Eligible for cash aid, or

Getting Supplemental Security Income (SSI), or

Getting foster care, or

Getting Kin-GAP, or

Being sanctioned by the CalWORKs Welfare-to-Work Program.

You and your family may still continue to get Medi-Cal if your cash aid stops and you have:

- earnings from a job, a business you started or a pay raise.
- started to receive or had an increase in child/spousal support payments.
- married or your spouse moved back into the home (on or before June 30, 1999).

Please complete and send in the enclosed

Transitional Medi-Cal(TMC) form.

INSTRUCTIONS: Use to discontinue CalWORKs case when there is no longer an eligible or otherwise eligible child in the home. In the action line, enter the date of the discontinuance.

This message replaces M82-820C dated 01-01-99.

File:\\Users U\\cmiguelinoU\\mseries\\82820c.doc

State of California
Department of Social Services

Noa Msg Doc No.: M82-832E Page 1 of 1
Action : Change
Issue: Aid Payments
Title: Eligible Person Leaving AU

Auto ID No.:
Source :
Issued by :
Reg Cite : 82-820, 82-832.1e

Use Form No. : NA 200
Original Date : 05-01-87
Revision Date : 12-01-99

MESSAGE:

As of _____, the County is changing your
cash aid from \$_____ to \$_____.

Here's why:

Some of the aid you got was for _____.

[] He/She no longer lives with you.

[] He/She is receiving other aid from
the _____ Program.

Your new cash aid amount is figured on
this page.

INSTRUCTIONS: Use to change the cash aid amount when eligible person leaves the AU.
Specify the name of the person and, if appropriate, the name of the program in the
space(s) provided.

This message replaces M44-203F (07-01-87).

File:Users U\cmiguelinoU\mseries\82-832E.doc

State of California
Department of Social Services

Noa Msg Doc No.: M82-832F Page 1 of 1
Action : Discontinue
Issue: Aid Payments
Title: Eligible Person Leaving AU

Auto ID No.:
Source :
Issued by :
Reg Cite : 82-820, 82-832.1e

Use Form No. : NA 290
Original Date : 12-01-99, new
Revision Date :

MESSAGE:

As of _____, the County is stopping your
cash aid.

Here's why:

The aid you got was for _____.

[] He/She no longer lives with you.

[] He/She is receiving other aid from
the _____ Program.

INSTRUCTIONS: Use to discontinue CalWORKs case when there is no longer an eligible
person in the home. Specify the name of the person and, if appropriate, the name of
the program in the space(s) provided.